

4/3/19

4:22 P.m.

Chapter No. 934
19/HR31/R2181
KTN | CB

HOUSE BILL NO. 1715

Originated in House



Clerk

HOUSE BILL NO. 1715

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF CANTON, MISSISSIPPI, AND THE MEMBERS OF THE BOARD OF DIRECTORS OF THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY TO ENTER INTO CERTAIN AGREEMENTS TO GRANT TO QUALIFYING NEW OR EXPANDING ENTERPRISES LEGALLY PERMITTED EXEMPTIONS FROM, OR A FEE-IN-LIEU OF, CITY AD VALOREM TAXES WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED WITHIN TWO MILES OF THE MUNICIPAL BOUNDARY OF THE CITY, TOGETHER WITH ANY IMPROVEMENTS AND PERSONAL PROPERTY LOCATED THEREON, IN CONNECTION WITH THE DEVELOPMENT BY THE MADISON COUNTY ECONOMIC DEVELOPMENT AUTHORITY OF SUCH REAL PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Whenever used in this act, unless a different meaning clearly appears in the context, the following terms shall have the following meanings:

(a) "City" means the City of Canton, Mississippi.

(b) "Authority" means the Madison County Economic Development Authority.

(c) "Governing authorities of the city" means the Mayor and Board of Aldermen of the City of Canton, Mississippi.

(d) "Qualified enterprise" means (i) any new enterprise enumerated by Section 27-31-101(3), Mississippi Code of 1972, as amended, (ii) any business enterprise that owns or operates a manufacturing or other enterprise of public utility as enumerated by Section 27-31-101(3) and makes additions to or expansions of the facilities or properties or replaces equipment used in connection with or necessary to the operation of such enterprise, (iii) any enterprise eligible to enter into a fee-in-lieu agreement with the city in accordance with Section 27-31-104 or 27-31-105(2), Mississippi Code of 1972, or (iv) any other person or enterprise eligible, upon petition thereby to the city, for any exemption from city ad valorem taxes, including, without limitation, any fee-in-lieu of city ad valorem taxes, as otherwise authorized by state law.

SECTION 2. The governing authorities of the city and the authority are authorized and empowered, in their respective discretion and subject to the conditions and requirements herein, to enter into one or more agreements with one another providing that, in the event that the city annexes all or any portion of the following described real properties, the city will agree, in advance, to approve any request by a qualified enterprise that locates or expands upon such portion of said property annexed by the city, to the extent such request is endorsed by the authority, for exemptions from city ad valorem taxes in the manner provided, and for the maximum duration permitted, by state law, including,

but not limited to, a fee-in-lieu of city ad valorem taxes as authorized by Sections 27-31-104 and 27-31-105(2), Mississippi Code of 1972, as amended, those exemptions authorized by Sections 27-31-7, 27-31-51 et seq., 27-31-101, 27-31-105(1), or any other exemptions from city ad valorem taxes otherwise authorized by state law; provided that any such agreement between the city and the authority may contain such conditions to enforceability that the governing authorities of the city may determine are in the best interests of the city and the citizens thereof:

PARCEL 1

That part of the East 1/2 of the SW 1/4 of Section 22, T9N-R2E that lies South of the Canton-Virlillia Road, less and except 3 acres, more or less, (which is church property, see Deed Book "JJJ" at Page 548, Deed Book "WW" at Page 481, Deed Book 6 at Page 24, Deed Book 453 at Page 134 and Deed Book 405 at Page 417) and containing 13 acres, more or less; and

All that part of the NW 1/4 and that part of the NW 1/4 of the SW 1/4 of Section 27, T9N-R2E, that lies North and West of Mississippi Highway No. 22, and containing 122 acres, more or less; and

The East 1/2 of the East 1/2 of the NE 1/4 and 7.5 acres in the SE 1/4 of Section 28, T9N-R2E, which is described as BEGINNING at the NE corner of said SE 1/2 and running thence South 15 chains to a stake, thence North 34 degrees West 18.02 chains to the SW corner of the East 1/2 of the East 1/2 of the NE 1/4 of said Section 28,

T9N-R2E, thence East 10 chains to the POINT OF BEGINNING,
containing in all 47 acres, more or less.

ALSO:

DESCRIPTION (Record)

A tract of land containing 5.1 acres, more or less, located in the
NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of Section 27,
T9N-R2E, Madison County, Mississippi, and more particularly
described as follows, to-wit:

BEGINNING at a concrete right-of-way monument stationed 840+50.05
on the North and West right-of-way of Mississippi State Highway
No. 22, Federal Aid Project-S-351(1) and run thence South 66
degrees 02 minutes West 834.7 feet along the North right-of-way of
Mississippi State Highway No. 22 to the point of curvature; thence
run along a curve on the North right-of-way of Mississippi State
Highway No. 22 having a chord bearing of South 62 degrees 48
minutes 220.78 feet and having a radius of 1960.08 feet and a
curve length of 220.9 feet to an iron bar; thence run South 89
degrees 59 minutes West 85.0 feet to an iron bar in the centerline
of the Old Canton and Jackson Road; thence run along the
centerline of the Old Canton and Jackson Road the following
courses and distances:

North 40 degrees 52 minutes East 604.0 feet to an iron bar; North
53 degrees 46 minutes East 57.9 feet to an iron bar; North 62
degrees 00 minutes East 85.5 feet to an iron bar; North 74 degrees
57 minutes East 91.6 feet to an iron bar; South 87 degrees 42

minutes East 216.0 feet to an iron bar; North 88 degrees 04 minutes East 185.6 feet to an iron bar;
Thence leaving the Old Canton and Jackson Road, run South 18 degrees 10 minutes West 118.4 feet to the POINT OF BEGINNING.

LESS AND EXCEPT:

BEGINNING at a point on the present Northwestern right-of-way line for the existing SR-22 Highway that is located North 24 degrees 04 minutes 49 seconds West, a distance of 59.82 feet from the centerline of survey for a 5-Lane Section of SR-22 Highway from Nissan Drive Extension to one (1) mile West of I-55 Highway at Station 840+71.49 as shown on the plans for State Project No. OP-0055-02(181); from said POINT OF BEGINNING run thence along said Northwestern right-of-way courses of South 65 degrees 48 minutes 32 seconds West, a distance of 515.20 feet, and thence South 62 degrees 50 minutes 33 seconds West, a distance of 200.24 feet, and thence South 65 degrees 54 minutes 24 seconds West, a distance of 131.47 feet, and thence Southwesterly along the circumference of a circle to the left with a radius of 1958.23 feet, an arc distance of 229.96 feet and a chord bearing South 62 degrees 32 minutes 51 seconds West for a distance of 229.83 feet, and thence North 71 degrees 11 minutes 47 seconds West, a distance 75.10 feet to the Northwestern property line of the above referenced 5.1 acre parcel; thence run North 41 degrees 22 minutes 45 seconds East along said property line, a distance of 142.37 feet to a line being radial to the centerline of said survey at

Station 830+75; thence run South 26 degrees 04 minutes 40 seconds East along said radial line, a distance of 51.01 feet to a point 95 feet Northwesterly of measured radially from the centerline of said survey at Station 830+75; thence run Northeasterly along the circumference of a circle to the right with a radius of 2004.85 feet, an arc distance of 69.90 feet and a chord bearing North 64 degrees 55 minutes 16 seconds East for a distance of 69.89 feet to a point 95 feet Northwesterly of measured radially from the centerline of said survey at Station 831+41.58; thence run North 70 degrees 20 minutes 42 seconds East, a distance of 259.19 feet to a point 75 feet Northwesterly of and perpendicular to the centerline of said survey at Station 834+00; thence run North 64 degrees 57 minutes 53 seconds East, a distance of 600.08 feet to a point 85 feet Northwesterly of and perpendicular to the centerline of said survey at Station 840+00; thence run North 58 degrees 55 minutes 09 seconds East, a distance of 111.44 feet to the said Northwestern right-of-way line being 98.58 feet Northwesterly of and perpendicular to the centerline of said survey at Station 841+10.61; thence run South 21 degrees 11 minutes 00 seconds West along said right-of-way line, a distance of 55.08 feet to the POINT OF BEGINNING, containing 0.870 acres (37,902 square feet) of land, more or less, situated in and a part of the West 1/2 of the Northeast 1/4 and the East 1/2 of the Northwest 1/4 of Section 27, Township 9 North, Range 2 East, in the City of Canton, Madison County, Mississippi.

Being also described as follows:

DESCRIPTION (Survey)

A parcel or tract of land, containing 4.1259 acres (179,725.18 Sq. Ft.), more or less, lying and being situated in the NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of Section 27, T9N-R2E, Madison County, Mississippi, being the Lelia W. Eldridge property as described in Deed Book 541 at Page 94 of the Records of the Office of the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

COMMENCING at Station 840+50.05 on the Northerly and Westerly right-of-way of Mississippi Highway No. 22 (Federal Aid Project No. S-351(1)), said point being the SE corner of the above referenced Lelia W. Eldridge property, said point also being and lying 3199.63 feet East and 531.67 feet South of a found iron pin at the NW corner of Section 27, T9N-R2E, Madison County, Mississippi; run thence along the Southerly, Westerly and Northerly boundary of said Lelia W. Eldridge property to points at each of the following calls:

South 66 degrees 02 minutes 00 seconds West for a distance of 834.70 feet; thence

220.90 feet along the arc of a 1960.08 foot radius curve to the left, said arc having a 220.78 foot chord which bears South 62 degrees 48 minutes 00 seconds West; thence South 89 degrees 59 minutes 00 seconds West for a distance of 85.00 feet; thence

North 40 degrees 52 minutes 00 seconds East for a distance of 160.41 feet to an iron pin and POINT OF BEGINNING of the herein described property; thence

Along the Northerly and Easterly boundary of said Lelia W. Eldridge property to iron pins at each of the following calls; Continue North 40 degrees 52 minutes 00 seconds East for a distance of 443.59 feet; thence

North 53 degrees 46 minutes 00 seconds East for a distance of 57.90 feet; thence

North 62 degrees 00 minutes 00 seconds East for a distance of 85.50 feet; thence

North 74 degrees 57 minutes 00 seconds East for a distance of 91.60 feet; thence

South 87 degrees 42 minutes 00 seconds East for a distance of 216.00 feet; thence

North 88 degrees 04 minutes 00 seconds East for a distance of 185.60 feet; thence

South 18 degrees 10 minutes 00 seconds East for a distance of 75.26 feet to an iron pin lying on the Northerly boundary of the Mississippi Major Economic Impact Authority property as described in Deed Book 485 at Page 723 of the Records of said Madison County, Mississippi; thence

Along the Northerly boundary of said Mississippi Major Economic Impact Authority property to iron pins at each of the following

calls; South 59 degrees 02 minutes 33 seconds West for a distance of 62.55 feet; thence South 65 degrees 05 minutes 17 seconds West for a distance of 600.08 feet; thence South 70 degrees 28 minutes 06 seconds West for a distance of 259.19 feet; thence 69.89 feet along the arc of a 2004.85 foot radius curve to the left, said arc having a 69.89 foot chord which bears South 65 degrees 02 minutes 40 seconds West; thence North 25 degrees 57 minutes 16 seconds West for a distance of 46.04 feet to the POINT OF BEGINNING of the above described parcel or tract of land.

ALSO:

PARCEL 2 - TRACT 1

All of the NE 1/4 of Section 28, T9N-R2E, less and except, the East 1/2 of the East 1/2 of the NE 1/4;

All of the NW 1/4 of Section 28, T9N-R2E, less and except 21 feet on the North end of the West 1/2 of said NW 1/4;

All of the SW 1/4 of Section 28, T9N-R2E; All of the SE 1/4 of Section 28, T9N-R2E, lying North of Mississippi Highway No. 22; 96 acres off the East side of Section 29, T9N-R2E, being a strip of 12 chains evenly off the East side of said Section 29;

All of the NW 1/4 of Section 33, T9N-R2E, North of Mississippi Highway No. 22;

All of the NE 1/4 of Section 33, T9N-R2E, North of Mississippi Highway No. 22;

PARCEL 3

A certain parcel of land in Section 29, T9N-R2E, and more particularly described as commencing at a stake at the SE corner of Susan Shelburn's land, thence due East on the South boundary of said Section 29, 264 yards to a stake, thence North one mile to a stake, then West 106 yards to a stake, thence South 140 yards to a stake, thence West 70 yards to a stake, thence South 300 yards to a stake, thence West 88 yards to a stake, thence South 1320 yards to the BEGINNING, containing 84-1/2 acres, more or less.

Reference is expressly made to that certain deed to Julia Montgomery from Willis Montgomery, dated January 12, 1874, which is recorded in Deed Book "BB" on Page 245 in the Office of the Chancery Clerk of Madison County, Mississippi, such reference being made in aid of and as a part of this description.

LESS AND EXCEPT:

Any part of the following described property lying or being situated in Sections 28, 29, and 33, T9N-R2E, Madison County, Mississippi:

A parcel or tract of land, containing 168.54 acres, more or less, lying and being situated in Section 28, Section 29, and Section 33, T9N-R2E, Madison County, Mississippi, being a part of the Walker Lands, Inc. property as described in Deed Book 151 at Page 779 and Deed Book 151 at Page 783 of the Records of the Office of

the Chancery Clerk of said Madison County, at Canton, Mississippi, and being more particularly described as follows:

COMMENCING at an iron pin lying at the SW corner of the SW 1/4 of Section 29, T9N-R2E, Madison County, Mississippi; run thence East along the Southerly boundary of the SW 1/4 of said Section 29, T9N-R2E, for a distance of 2,667.77 feet to the SE corner, thereof, said point also lying at the SW corner of a parcel of land described as the "West 1/2 of the SE 'A less a strip of 4.0 chains evenly off East side of same"; thence Continue East along the Southerly boundary of said parcel of land described as the "West 1/2 of the SE 1/4 less a strip of 4.0 chains evenly off East side of same" for a distance of 1,069.89 feet to the SE corner, thereof, and POINT OF BEGINNING of the herein described property; thence

North along the Easterly boundary of said parcel of land described as the "West 1/2 of the SE 1/4 less a strip of 4.0 chains evenly off East side of same" for a distance of 494.94 feet to an iron pin; thence

Leaving the Easterly boundary of said parcel of land described as the "West 1/2 of the SE 1/4 less a strip of 4.0 chains evenly off East side of same", run to iron pins at each of the following calls:

East for a distance of 3,025.04 feet; thence

South for a distance of 92.14 feet; thence

North 86 degrees 26 minutes 00 seconds West for a distance of 56.72 feet; thence South 07 degrees 45 minutes 00 seconds East for a distance of 551.00 feet; thence South 41 degrees 20 minutes 00 seconds East for a distance of 332.00 feet; thence East for a distance of 853.00 feet; thence South 48 degrees 14 minutes 00 seconds East for a distance of 138.00 feet; thence South 51 degrees 14 minutes 00 seconds East for a distance of 141.00 feet; thence South 58 degrees 34 minutes 00 seconds East for a distance of 82.00 feet; thence South 66 degrees 40 minutes 00 seconds East for a distance of 91.00 feet; thence South 76 degrees 31 minutes 27 seconds East for a distance of 174.46 feet; thence South 80 degrees 03 minutes 19 seconds East for a distance of 138.82 feet; thence South 40 degrees 59 minutes 25 seconds East for a distance of 139.02 feet to the Northerly right-of-way of Mississippi Highway No. 22 (Federal Aid Project No. S-351(1)), as it existed in October, 2015; thence Along the Northerly right-of-way of said Mississippi Highway No. 22 to points at each of the following calls:
South 49 degrees 00 minutes 35 seconds West for a distance of 1,035.83 feet; thence North 40 degrees 59 minutes 25 seconds West for a distance of 25.00 feet; thence South 49 degrees 00 minutes 35 seconds West for a distance of 900.01 feet; thence South 40 degrees 59 minutes 25 seconds East for a distance of 25.00 feet;

thence South 49 degrees 00 minutes 35 seconds West for a distance of 278.91 feet; thence

601.46 feet along the arc of a 5679.58 foot radius curve to the right, said arc having a 601.18 foot chord which bears South 52 degrees 02 minutes 37 seconds West to the Southerly boundary of the NW 1/4 of Section 33, T9N-R2E, Madison County, Mississippi; thence

Leaving the Northerly right-of-way of said Mississippi Highway No. 22, run West along the Southerly boundary of the NW 1/4 of said Section 33, T9N-R2E, for a distance of 1,135.33 feet to the SW corner, thereof; thence

North along the Westerly boundary of the NW 1/4 of said Section 33, T9N-R2E, for a distance of 2,640.00 feet to the NW corner, thereof, said point also being and lying at the SE corner of Section 29, T9N-R2E; thence

West along the Southerly boundary of said Section 29, T9N-R2E, for a distance of 1,597.89 feet to the POINT OF BEGINNING of the above described parcel or tract of land.

ALSO:

PARCEL 4

COMMENCING at an in place concrete monument marking the Section corner common to Sections 16, 17, 20, and 21, T9N-R2E, Madison County, Mississippi, thence run East for a distance of 673.66 feet; thence run South 2144.28 feet to the POINT OF BEGINNING of the following described property and said point being located on

the south right-of-way line of the Canton to Virililia Road; Thence run South 00 degrees 16 minutes 27 seconds East and along a tangent line between the following described property and the W. Charles Walden Parcel for a distance of 2497.63 feet to a fence corner post; thence run South 89 degrees 13 minutes 52 seconds East and along a tangent line between the following described property and the same said W. Charles Walden parcel for a distance of 634.45 feet to a half inch iron pin, thence run North and along a tangent line between the following described property and the James E. Peterson Parcel and between a parcel now owned by Elosie P. Ray for a distance of 2182.77 feet to a half inch iron pin located on the south right-of-way line of same said Canton to Virililia Road; thence run North 64 degrees 13 minutes 39 seconds West for a chord distance of 92.74 feet to a point also located on the same said South right-of-way line; thence run North 63 degrees 18 minutes 16 seconds West for a tangent distance of 629.98 feet to the POINT OF BEGINNING.

The above described property is situated in the East 1/2 of the West 1/2 of the West 1/2 of Section 21, T9N-R2E, Madison County, Mississippi, and contains 34.37 acres, more or less.

LESS AND EXCEPT:

A tract of land situated in the East 1/2 of the West 1/2 of the West 1/2 of Section 21, T9N-R2E, Madison County, Mississippi, being the Claudie Wayne Steen property as described in Deed Book 2108 at Page 506 of the Records of the Chancery Clerk of said

Madison County at Canton, Mississippi, and being more particularly described as follows:

Beginning at a half inch iron pin in the Southern line of the Canton to Virllilia Road, said iron pin being the Northeastern Corner of a tract of land as described in Deed Book 154 at Pages 235 and 236, of the Madison County Chancery Clerk's office; thence North 64 degrees 13 minutes 39 seconds West along the Southern line of the Canton to Virllilia Road for 92.74 feet to a point; thence

North 63 degrees 18 minutes 16 seconds West and continuing along the said Southern line of the Canton to Virllilia Road for 131.34 feet to an iron pin; thence

South 41 degrees 39 minutes 40 seconds West for 111.02 feet to an iron pin at a fence line; thence

South 18 degrees 57 minutes 58 seconds East for 207.90 feet and generally along a fence line to an iron pin at a fence corner; thence

South 78 degrees 21 minutes 21 seconds East for 211.44 feet and generally along a fence line and the extension thereof to an iron pin at the Eastern portion of a gravel drive; thence North for 222.91 feet to the said POINT OF BEGINNING, containing 1.41 acres, more or less.

ALSO:

PARCEL 5

The East 1/2 of the SW 1/4 of Section 21, T9N-R2E, Madison County, Mississippi.

LESS AND EXCEPT:

The Clarence Peterson and Shelby Peterson property as described in Deed Book 2051 at Page 634 of the Records of the Chancery Clerk of said Madison County at Canton, Mississippi, and being more particularly described as follows: BEGINNING at the NW corner of said East 1/2 of the SW 1/4 and run thence East 7 chains, thence South 7 chains, thence West 7 chains, thence North 7 chains to the POINT OF BEGINNING.

The above described property lying and being situated in Madison County, Mississippi, and containing, in the aggregate, 1027.795 acres, more or less.

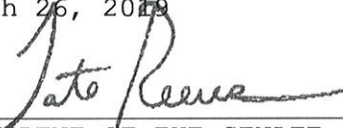
SECTION 3. Any agreement between the city and the authority authorized by Section 2 above may be for a period not to exceed thirty (30) years in duration and shall be binding upon any successor governing authorities of the city or board of the authority for the duration of such term; provided, however, that no exemption from city ad valorem taxes granted or otherwise approved by the city as a result of any such agreement with the authority may extend beyond the duration permitted by state law for such exemption.

SECTION 4. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 14, 2019


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 26, 2019


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

4/3/19

4:22pm